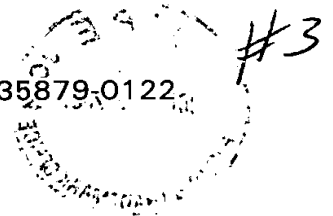




Atty. Dkt. No. 035879-0122



Applicant: Xianzhang YU, et al.
Title: THERAPEUTIC PORE-FORMING
PEPTIDES
Appl. No.: 09/851,422
Filing Date: May 09, 2001
Examiner: Unassigned
Art Unit: Unassigned

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (5 sheets, Figures 1-5) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

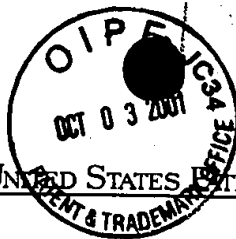
Respectfully submitted,

Date: October 3, 2001

By

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Washington Harbour
3000 K Street, N.W.
Suite 500
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Telephone: (202) 945-6148
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Charles F. Schill
Attorney for Applicant
Registration No. 27,590



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/851,422	05/09/2001	Xianxhang Yu	035879/0122

CONFIRMATION NO. 2132

FORMALITIES LETTER



OC000000006260605

Charles F. Schill
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, DC 20007-5109

Missing Pubs due 9/5/01 →

Date Mailed: 07/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));

The following item(s) appear to have been **omitted** from the application:

10/05/2001 HNDOR1 00000047 190741 09851422
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03 FC:105 100.00 OP
30.00 CH

- Figure(s) 2 (b) described in the specification.

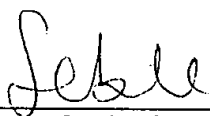
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



SECTOR
\$

Applicant: Xianzhang YU, et al.

Title: THERAPEUTIC PORE-FORMING
PEPTIDES

Serial No.: 09/851,422

Filing Date: May 09, 2001

Examiner: Unassigned

Art Unit: Unassigned

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Commissioner for Patents
Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on July 5, 2001, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

- ☒ [X] Petition for Extension of Time
- ☒ [X] Preliminary Amendment
- ☒ [X] Declaration and Power of Attorney (4 pages)
- ☒ [X] Submission of Formal Drawings, Figs. 1-5
- ☒ [X] Copy of Notice to File Missing Parts (Part 2 of Form PTO-1533)
- ☒ [X] Check in the amount of \$950.00 in payment of basic filing fee and surcharge fee (37 C.F.R. § 1.16(e))

09/851,422 " 100301
T03001" 224T5060

Serial No. 09/851,422

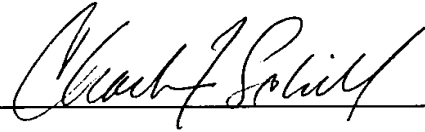
Atty. Dkt. No. 035879-0122

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: October 3, 2001

By



Charles F. Schill
Attorney for Applicant
Registration No. 27,590

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